

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEONON ALSTON,

Plaintiff,

No. CIV S-04-2374 DFL JFM P

vs.

M. SANCHEZ, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On November 15, 2005, defendants lodged a request to vacate the date for filing pretrial statements, and the pretrial conference and trial dates set in this court's February 16, 2005 scheduling order. Defendants' request is predicated on the pendency of their July 29, 2005 motion for summary judgment. Good cause appearing, defendants' request will be granted. The parties will be relieved of their obligation to file pretrial statements until further order of court and the pretrial conference set on the papers before the undersigned on November 25, 2005 will be vacated. A new pretrial conference will be set, if appropriate, following resolution of defendants' pending motion. The jury trial date of February 13, 2006 will also be vacated.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Defendants' November 15, 2005 request to vacate dates is granted;

1                   2. The parties are relieved of the obligation to file pretrial statements until further  
2 order of court;

3                   3. The pretrial conference on the papers before the undersigned on November 25,  
4 2005 is vacated; and

5                   4. The jury trial set before the Honorable David F. Levi on February 13, 2006 at  
6 9:00 a.m. is vacated.

7 DATED: November 28, 2005.

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10 UNITED STATES MAGISTRATE JUDGE

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